

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

GLEN **AXELROD** and WALTER LEE,

Junior Party
(Application 09/914,047),

v.

SCOTT **PIVONKA** and JOHN TOTTLEBEN

Senior Party
(Patent 6,408,797 B2).

Patent Interference 105,507 JL
Technology Center 3600

Before FRED E. McKELVEY, *Senior Administrative Patent Judge*, and
JAMESON LEE and JAMES T. MOORE, *Administrative Patent Judges*.

MOORE, *Administrative Patent Judge*

JUDGMENT

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4 In view of the record, and for the reasons given in the Memorandum
5 Opinions (Paper 52 and Paper **56**), it is

1 ORDERED that judgment be entered against Senior Party Pivonka for
2 Count 1 (Paper 1);

3 FURTHER ORDERED that claims 1-9 of Pivonka's involved
4 patent be CANCELED, 35 U.S.C. § 135(a);

5 FURTHER ORDERED that claims 16-18 of Axelrod's
6 involved application be FINALLY REFUSED, 35 U.S.C. § 135(a); and

7 FURTHER ORDERED that a copy of this judgment be entered
8 in the administrative records of the involved Pivonka patent and Axelrod
9 application.

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11 /ss/ Fred E. McKelvey)

12 FRED E. McKELVEY)

13 *Senior Administrative Patent Judge*)

14) BOARD OF

15 /ss/ Jameson Lee) PATENT

16 JAMESON LEE) APPEALS

17 *Administrative Patent Judge*) AND

18) INTERFERENCES

19 /ss/ James T. Moore)

20 JAMES T. MOORE)

21 *Administrative Patent Judge*)

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